

Application of: Mitsuru TAKASHIMA
Serial No.: 10/018,676
Date Filed: December 24, 2002
Page 4

REMARKS

This Amendment responds to the Office Action of March 8, 2005, in which the Examiner noted that claims 2, 14, 15 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. Applicant wishes to thank the Examiner for the notification of allowable subject matter, and submits, as discussed below, that he has overcome the rejection and included all of the necessary limitations so that claims 2, 14, and 15 may now be allowed.

The Examiner has rejected claims 2-5, 14, and 15 under 35 U.S.C. § 112, second paragraph, asserting that the claims are indefinite in certain minor respects. To overcome this rejection, applicant has amended claims 2 and 5, and by inference claims 14 and 15, to clarify the allegedly indefinite claim phraseology concerning the pressure sensor. Applicant submits that the claims are now sufficiently definite to overcome the rejection, and respectfully requests that it be withdrawn.

The Examiner has rejected claims 2-4 under 35 U.S.C. § 102 (b) as being anticipated by Scanlon. The Examiner asserts that Scanlon teaches acoustic monitoring systems for collecting biomedical information. According to the Examiner, Scanlon discloses each and every element of the invention of claims 2-4, as set forth on page 5 of the Office Action. The Examiner asserts that the air pressures within the closed compartments, when a living body is placed on the closed compartments, are detected by the sound sensor to measure biomedical information such as breathing, heart rate, and movement of the living body.

Applicant respectfully disagrees with the Examiner's stated rejection. Applicant

Application of: Mitsuru TAKASHIMA
Serial No.: 10/018,676
Date Filed: December 24, 2002
Page 5

submits that Scanlon does not anticipate claims 2-4 of the present application. Scanlon refers to a pad including a sensor, which is soft, pliable, and fluid filled, and can be used to monitor patient data such as breathing, heart rate, and the like. Applicant's invention has a plate on the closed compartments. Applicant's plate is a flat, thin, rigid body, as illustrated in the specification and defined in claims 2-4. Nowhere does Scanlon disclose this feature. Thus, applicant submits that the rejection of claims 2-4 under section 102(b) is misplaced, and should be withdrawn.

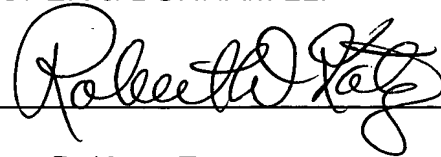
In sum, applicant submits that he has overcome the rejections under sections 112, second paragraph, and 102 (b), and that the pending claims are in condition for allowance. Early notification to this effect is respectfully requested.

The Commissioner is hereby authorized to charge any fees which may be required in consideration of this filing and to credit any overpayment to our Deposit Account No. 03-3125. If any extension of time is required to process this Amendment, applicant hereby requests same, and authorizes the fee therefore to be charged to Deposit Account No. 03-3125.

Respectfully submitted,

COOPER & DUNHAM LLP

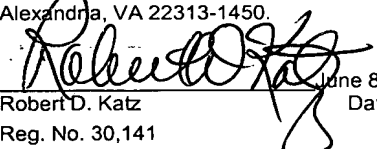
By



Robert D. Katz, Esq.
COOPER & DUNHAM LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

Attorney for Applicant

Dated: June 8, 2005

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to:	
Commissioner of Patents, P.O. Box 1450 Alexandria, VA 22313-1450	
	June 8, 2005
Robert D. Katz	Date
Reg. No. 30,141	